

Stephen H.M. Bloch #7813  
Tiffany Bartz # 12324  
SOUTHERN UTAH WILDERNESS ALLIANCE  
425 East 100 South  
Salt Lake City, UT 84111  
Telephone: (801) 486-3161

Walton Morris, *pro hac vice*  
MORRIS LAW OFFICE, P.C.  
1901 Pheasant Lane  
Charlottesville, VA 22901  
Telephone (434) 293-6616

Sharon Buccino, *pro hac vice*  
NATURAL RESOURCES DEFENSE COUNCIL  
1200 New York Ave., NW, Suite 400  
Washington, DC 20005  
Telephone: (202) 289-6868

**FILED**

**JAN 19 2010**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

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UTAH CHAPTER OF THE SIERRA CLUB,  
et al.,

Petitioners,

Docket No. 2009-019  
Cause No. C/025/0005

DIVISION OF OIL, GAS AND MINING,

Respondent, and

ALTON COAL DEVELOPMENT, LLC,

Intervenor-Respondent..

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**PETITIONERS' MOTION FOR DESIGNATION OF A HEARING EXAMINER**

Pursuant to UT ADC R641-113-100, Utah Chapter of the Sierra Club ("Sierra Club"), Southern Utah Wilderness Alliance ("SUWA"), Natural Resources Defense Council ("NRDC"), and National Park Conservation Association ("NPCA")(collectively, "Petitioners") respectfully move

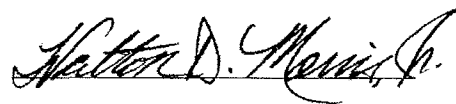
this Board to designate a hearing examiner for purposes of taking evidence and recommending findings of fact and conclusions of law to the Board. The reasons for granting this motion are set forth in the supporting memorandum that Petitioners file simultaneously with this motion.

WHEREFORE, for reasons set forth in Petitioners' supporting memorandum, Petitioners request that the Board enter an order designating a hearing examiner in this proceeding.

**Dated: January 15, 2010**

Respectfully submitted,

By:



Attorneys for Utah Chapter of the  
Sierra Club, *et al.*

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Sharon Buccino *pro hac vice*  
NATURAL RESOURCES DEFENSE  
COUNCIL  
1200 New York Ave., NW, Suite 400  
Washington, DC 20005  
Telephone: (202) 289-6868

### CERTIFICATE OF SERVICE

I hereby certify that on the 15<sup>th</sup> day of January, 2010, I served a true and correct copy of  
**PETITIONERS' MOTION FOR DESIGNATION OF A HEARING EXAMINER** on each of  
the following persons via electronic mail:

Denise Dragoo, Esq.  
James P. Allen, Esq.  
Snell & Wilmer, LLP  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101  
[ddragoo@swlaw.com](mailto:ddragoo@swlaw.com)  
[jallen@swlaw.com](mailto:jallen@swlaw.com)

Bennett E. Bayer, Esq. (*Pro Hoc Vice*)  
Landrum & Shouse LLP  
106 West Vine Street, Suite 800  
Lexington, KY 40507  
[bbayer@landrumshouse.com](mailto:bbayer@landrumshouse.com)

Steven Alder, Esq.  
Utah Assistant Attorney General  
1594 West North Temple  
Salt Lake City, UT 84114  
[stevealder@utah.gov](mailto:stevealder@utah.gov)

Michael Johnson, Esq.  
Assistant Attorney General  
160 East 300 South, 5th Floor  
P.O. Box 140857  
Salt Lake City, UT 84114-0857  
[mikejohnson@utah.gov](mailto:mikejohnson@utah.gov)

William L. Bernard, Esq.  
Deputy Kane County Attorney  
76 North Main Street  
Kanab, UT 84741  
[attorneyasst@kanab.net](mailto:attorneyasst@kanab.net)

